

International Code of Conduct on the Distribution and Use of Pesticides



**FOOD AND AGRICULTURE ORGANIZATION
OF THE UNITED NATIONS**

844



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THIS BOOK

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**FOOD AND AGRICULTURE ORGANIZATION
OF THE UNITED NATIONS**
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Introduction

The action by FAO to develop, in consultation with appropriate United Nations agencies and other organizations, an International Code of Conduct on the Distribution and Use of Pesticides follows and accompanies many other events, some going back 25 years. All these events were designed to benefit the international community and to serve to increase international confidence in the availability, regulation, marketing and use of pesticides for the improvement of agriculture, public health and personal comfort.

One of the basic functions of the Code, which is voluntary in nature, is to serve as a point of reference, particularly until such time as countries have established adequate regulatory infrastructures for pesticides.

The Director-General of FAO in 1981 suggested that such a Code could help to overcome a number of difficulties associated with pesticides. The FAO Panel of Experts on Pesticide Specifications, Registration Requirements and Application Standards, at its meeting in 1982, agreed that activities involving the export and import of pesticides, and thereby their safe use, might be best dealt with through the adoption of a Code of Conduct. To that end a working paper was prepared for the FAO Second Government Consultation on International Harmonization of Pesticide Registration Requirements, Rome, 11-15 October 1982. The formal decision to develop the Code was taken at that Consultation, which recommended that FAO, in consultation with the appropriate United Nations organizations and bodies and international organizations outside the United Nations system, should draft a Code (1). The Code itself was adopted by the FAO Conference at its Twenty-third Session in 1985 by way of Resolution 10/85, which appears as an Annex to the present publication.

A number of governments and organizations have expressed

concern about the propriety of supplying pesticides to countries which do not have infrastructures to register pesticides and thereby to ensure their safe and effective use. It should be noted that the development of national regulatory programmes is the first priority of FAO activities in this field. There has also been concern over the possibility that residues of certain pesticides, not needed or not permitted in particular countries, are present in imported agricultural commodities produced in other countries where the use of such pesticides is not restricted. While recognizing that it is impossible to eliminate all such occurrences, because of diverging pest control needs, it is none the less essential that every effort be made to apply pesticides only in accordance with good and recognized practices. It is at the same time important for industrially developed countries to recognize, in their regulatory activities concerning residues, the pest control needs of developing countries, particularly the needs of countries in tropical regions.

In the absence of an effective pesticide registration process and of a governmental infrastructure for controlling the availability of pesticides, some countries importing pesticides must heavily rely on the pesticide industry to promote the safe and proper distribution and use of pesticides. In these circumstances foreign manufacturers, exporters and importers, as well as local formulators, distributors, repackers, advisers and users, must accept a share of the responsibility for safety and efficiency in distribution and use.

The role of the exporting country needs to be considered. Much emphasis has been given recently to the desirability of regulating the export of pesticides from producing countries. It is generally accepted that no company should trade in pesticides without a proper and thorough evaluation of the pesticide, including any risks. However, the fact that a product is not used or registered in a particular exporting country is not necessarily a valid reason for prohibiting the export of that pesticide. Developing countries are mostly situated in tropical and semi-tropical regions. Their climatic, ecological, agronomic, social, economic and environmental conditions and therefore their pest problems are usually quite different from those prevailing in countries in which pesticides are manufactured and exported. The government of the exporting country, therefore, is in no position to judge the suitability, efficacy, safety or fate of the pesticide under the conditions in the country

where it may ultimately be used. Such a judgement must, therefore, be made by the responsible authority in the importing country in consultation with industry and other government authorities in the light of the scientific evaluation that has been made and a detailed knowledge of the conditions prevailing in the country of proposed use.

The export to developing countries of pesticides which have been banned in one or more other countries or whose use has been severely restricted in some industrialized countries has been a subject of public concern which has led to intensive discussions on whether the exporting country should assume responsibility for the marketing and use of such products in the importing country. In this respect it is essential to note that when pesticides are banned, the reasons are toxicological, environmental or social. Valid and adequate toxicological reasons justifying banning a product are of concern, though not necessarily of equal importance, to most countries. Consequently, such products should not be exported or imported without careful consideration of the toxicological implications for those likely to be exposed.

While a Code of Conduct may not solve all problems, nevertheless it should go a long way toward defining and clarifying the responsibilities of the various parties involved in the development, distribution and use of pesticides, and it should be of particular value in countries which do not yet have control procedures. Where there is a pesticide regulatory process in a country, the need for a Code of Conduct will obviously be less than where there is no such scheme in operation.

The Code of Conduct is not a short or simple document, mainly because the nature, properties, uses and effects of pesticides are diverse and therefore require comprehensive consideration. Furthermore, the strong public pressure for banning or restricting the use of some effective and much-needed pesticides often stems from a lack of understanding of the many important issues involved. This document is designed, therefore, also to provide the general public with some basic guidance on these issues.

Text of the Code

Article 1. Objectives of the Code

- 1.1** The objectives of this Code are to set forth responsibilities and establish voluntary standards of conduct for all public and private entities engaged in or affecting the distribution and use of pesticides, particularly where there is no or an inadequate national law to regulate pesticides.
- 1.2** The Code describes the shared responsibility of many segments of society, including governments, individually or in regional groupings, industry, trade and international institutions, to work together so that the benefits to be derived from the necessary and acceptable use of pesticides are achieved without significant adverse effects on people or the environment. To this end, all references in this Code to a government or governments shall be deemed to apply equally to regional groupings of governments for matters falling within their areas of competence.
- 1.3** The Code addresses the need for a cooperative effort between governments of exporting and importing countries to promote practices which ensure efficient and safe use while minimizing health and environmental concerns due to improper handling or use.
- 1.4** The entities which are addressed by this Code include international organizations; governments of exporting and importing countries; industry, including manufacturers, trade associations, formulators and distributors; users; and public-sector organizations such as environmental groups, consumer groups and trade unions.
- 1.5** The standards of conduct set forth by this Code:
- 1.5.1 encourage responsible and generally accepted trade practices;

1.5.2 assist countries which have not yet established controls designed to regulate the quality and suitability of pesticide products needed in that country and to address the safe handling and use of such products;

1.5.3 promote practices which encourage the safe and efficient use of pesticides, including minimizing adverse effects on humans and the environment and preventing accidental poisoning from improper handling;

1.5.4 ensure that pesticides are used effectively for the improvement of agricultural production and of human, animal and plant health.

1.6 The Code is designed to be used, within the context of national law, as a basis whereby government authorities, pesticide manufacturers, those engaged in trade and any citizens concerned may judge whether their proposed actions and the actions of others constitute acceptable practices.

Article 2. Definitions

For the purpose of this Code:

Active ingredient means the biologically active part of the pesticide present in a formulation.

Advertising means the promotion of the sale and use of pesticides by print and electronic media, signs, displays, gift, demonstration or word of mouth.

Banned means a pesticide for which all registered uses have been prohibited by final government regulatory action, or for which all requests for registration or equivalent action for all uses have, for health or environmental reasons, not been granted.

Common name means the name assigned to a pesticide active ingredient by the International Standards Organization or adopted by national standards authorities to be used as a generic or non-proprietary name for that particular active ingredient only.

Distinguishing name means the name under which the pesticide is

labelled, registered and promoted by the manufacturer and which, if protected under national legislation, can be used exclusively by the manufacturer to distinguish the product from other pesticides containing the same active ingredient.

Distribution means the process by which pesticides are supplied through trade channels on local or international markets.

Environment means surroundings, including water, air, soil and their interrelationship as well as all relationships between them and any living organisms.

Extension service means those entities in the country concerned responsible for the transfer of information and advice to farmers regarding the improvement of agricultural practices, including production, handling, storage and marketing.

Formulation means the combination of various ingredients designed to render the product useful and effective for the purpose claimed; the form of the pesticide as purchased by users.

Hazard means the likelihood that a pesticide will cause an adverse effect (injury) under the conditions in which it is used.

Integrated pest management means a pest management system that, in the context of the associated environment and the population dynamics of the pest species, utilizes all suitable techniques and methods in as compatible a manner as possible and maintains the pest populations at levels below those causing economically unacceptable damage or loss.

Label means the written, printed or graphic matter on, or attached to, the pesticide; or the immediate container thereof and the outside container or wrapper of the retail package of the pesticide.

Manufacturer means a corporation or other entity in the public or private sector or any individual engaged in the business or function (whether directly or through an agent or through an entity controlled by or under contract with it) of manufacturing a pesticide active ingredient or preparing its formulation or product.

Marketing means the overall process of product promotion, including advertising, product public relations and information services as well as distribution and selling on local or international markets.

Maximum residue limit (MRL) means the maximum concentration of a residue that is legally permitted or recognized as acceptable in or on a food, agricultural commodity or animal feedstuff.

Packaging means the container together with the protective wrapping used to carry pesticide products via wholesale or retail distribution to users.

Pesticide means any substance or mixture of substances intended for preventing, destroying or controlling any pest, including vectors of human or animal disease, unwanted species of plants or animals causing harm during or otherwise interfering with the production, processing, storage, transport, or marketing of food, agricultural commodities, wood and wood products or animal feedstuffs, or which may be administered to animals for the control of insects, arachnids or other pests in or on their bodies. The term includes substances intended for use as a plant-growth regulator, defoliant, desiccant, or agent for thinning fruit or preventing the premature fall of fruit, and substances applied to crops either before or after harvest to protect the commodity from deterioration during storage and transport.

Pesticide industry means all those organizations and individuals engaged in manufacturing, formulating or marketing pesticides and pesticide products.

Pesticide legislation means any laws or regulations introduced to regulate the manufacture, marketing, storage, labelling, packaging and use of pesticides in their qualitative, quantitative and environmental aspects.

Poison means a substance that can cause disturbance of structure or function, leading to injury or death when absorbed in relatively small amounts by human beings, plants or animals.

Poisoning means occurrence of damage or disturbance caused by a poison, and includes intoxication.

Product means the pesticide in the form in which it is packaged and sold; it usually contains an active ingredient plus adjuvants and may require dilution prior to use.

Protective clothing means any clothes, materials or devices that are designed to provide protection from pesticides when they are handled or applied.

Public-sector groups means (but is not limited to) scientific associations; farmer groups; citizens' organizations; environmental, consumer and health organizations; and labour unions.

Registration means the process whereby the responsible national government authority approves the sale and use of a pesticide following the evaluation of comprehensive scientific data demonstrating that the product is effective for the purposes intended and not unduly hazardous to human or animal health or the environment.

Rerepackaging means the transfer of pesticide from any commercial package into any other, usually smaller, container for subsequent sale.

Residue means any specified substances in food, agricultural commodities, or animal feed resulting from the use of a pesticide. The term includes any derivatives of a pesticide, such as conversion products, metabolites, reaction products, and impurities considered to be of toxicological significance. The term "pesticide residue" includes residues from unknown or unavoidable sources (e.g. environmental) as well as known uses of the chemical.

Responsible authority means the government agency or agencies responsible for regulating the manufacture, distribution or use of pesticides and more generally for implementing pesticide legislation.

Risk means the expected frequency of undesirable effects of exposure to the pesticide.

Severely restricted — a limited ban — means a pesticide for which virtually all registered uses have been prohibited by final government regulatory action but certain specific registered use or uses remain authorized.

Toxicity means a physiological or biological property which determines the capacity of a chemical to do harm or produce injury to a living organism by other than mechanical means.

Trader means anyone engaged in trade, including export, import, formulation and domestic distribution.

Use pattern embodies the combination of all factors involved in the use of a pesticide, including the concentration of active ingredient in the preparation being applied, rate of application, time of treatment, number of treatments, use of adjuvants and methods and sites of application which determine the quantity applied, timing of treatment and interval before harvest, etc.

Article 3. Pesticide management

3.1 Governments have the overall responsibility and should take the specific powers to regulate the distribution and use of pesticides in their countries.

3.2 The pesticide industry should adhere to the provisions of this Code as a standard for the manufacture, distribution and advertising of pesticides, particularly in countries lacking appropriate legislation and advisory services.

3.3 Governments of exporting countries should help to the extent possible, directly or through their pesticide industries, to:

3.3.1 provide technical assistance to other countries, especially those with shortages of technical expertise, in the assessment of the relevant data on pesticides, including those provided by industry (see also Article 4);

3.3.2 ensure that good trading practices are followed in the export of pesticides, especially to those countries with no or limited regulatory schemes (see also Articles 8 and 9).

3.4 Manufacturers and traders should observe the following practices in pesticide management, especially in countries without legislation or means of implementing regulations:

3.4.1 supply only pesticides of adequate quality, packaged and labelled as appropriate for each specific market;

3.4.2 pay special attention to formulations, presentation, packaging and labelling in order to reduce hazard to users, to the maximum extent possible consistent with the effective functioning of the pesticide in the particular circumstances in which it is to be used;

3.4.3 provide, with each package of pesticide, information and instructions in a form and language adequate to ensure safe and effective use;

3.4.4 retain an active interest in following their products to the ultimate consumer, keeping track of major uses and the occurrence of any problems arising in the actual use of their products as a basis for determining the need for changes in labelling, directions for use, packaging, formulation or product availability.

3.5 Pesticides whose handling and application require the use of uncomfortable and expensive protective clothing and equipment should be avoided, especially in the case of small-scale users in tropical climates.

3.6 National and international organizations, governments, and pesticide industries should take action in coordinated efforts to disseminate educational materials of all types to pesticide users, farmers, farmers' organizations, agricultural workers, unions and other interested parties. Similarly, affected parties should seek and understand educational materials before using pesticides and should follow proper procedures.

3.7 Governments should allocate high priority and adequate resources to the task of effectively managing the availability, distribution and use of pesticides in their countries.

3.8 Concerted efforts should be made by governments and pesticide industries to develop and promote integrated pest management systems and the use of safe, efficient, cost-effective application methods. Public-sector groups and international organizations should actively support such activities.

3.9 International organizations should provide information on specific pesticides and give guidance on methods of analysis through the provision of criteria documents, fact sheets, training sessions, etc.

3.10 It is recognized that the development of resistance of pests to pesticides can be a major problem. Therefore, governments, industry, national institutions, international organizations and public-sector groups should collaborate in developing strategies which will prolong the useful life of valuable pesticides and reduce the adverse effects of the development of resistant species.

Article 4. Testing of pesticides

4.1 Pesticide manufacturers are expected to:

4.1.1 ensure that each pesticide and pesticide product is adequately and effectively tested by well-recognized procedures and test methods so as to fully evaluate its safety, efficacy (2) and fate (3) with regard to the various anticipated conditions in regions or countries of use;

4.1.2. ensure that such tests are conducted in accordance with sound scientific procedures and good laboratory practice (4) — the data produced by such tests, when evaluated by competent experts, must be capable of showing whether the product can be handled and used safely without unacceptable hazard to human health, plants, animals, wildlife and the environment (3);

4.1.3 make available copies or summaries of the original reports of such tests for assessment by responsible government authorities in all countries where the pesticide is to be offered for sale. Evaluation of the data should be referred to qualified experts;

4.1.4 take care to see that the proposed use pattern, label claims and directions, packages, technical literature and advertising truly reflect the outcome of these scientific tests and assessments;

4.1.5 provide, at the request of a country, advice on methods for the analysis of any active ingredient of formulation that they manufacture, and provide the necessary analytical standards;

4.1.6 provide advice and assistance for training technical staff in relevant analytical work. Formulators should actively support this effort;

4.1.7 conduct residue trials prior to marketing in accordance with FAO guidelines on good analytical practice (5) and on crop residue data (6, 7) in order to provide a basis for establishing appropriate maximum residue limits (MRLs).

4.2 Each country should possess or have access to facilities to verify and exercise control over the quality of pesticides offered for sale, to establish the quantity of the active ingredient or ingredients and the suitability of their formulation (8).

4.3 International organizations and other interested bodies should, within available resources, consider assisting in the establishment of analytical laboratories in pesticide-importing countries, either on a country or on a multilateral regional basis; these laboratories should be capable of carrying out product and residue analysis and should have adequate supplies of analytical standards, solvents and reagents.

4.4 Exporting governments and international organizations must play an active role in assisting developing countries in training personnel in the interpretation and evaluation of test data.

4.5 Industry and governments should collaborate in conducting post-registration surveillance or monitoring studies to determine the fate and environmental effect of pesticides under field conditions (3).

Article 5. Reducing health hazards

5.1 Governments which have not already done so should:

5.1.1 implement a pesticide registration and control scheme along the lines set out in Article 6;

5.1.2 decide, and from time to time review, the pesticides to be marketed in their country, their acceptable uses and their availability to each segment of the public;

5.1.3 provide guidance and instructions for the treatment of suspected pesticide poisoning for their basic health workers, physicians and hospital staff;

5.1.4 establish national or regional poisoning information and control centres at strategic locations to provide immediate guidance on first aid and medical treatment, accessible at all times by telephone or radio. Governments should collect reliable information about the health aspects of pesticides. Suitably trained people with adequate resources must be made available to ensure that accurate information is collected;

5.1.5 keep extension and advisory services, as well as farmers' organizations, adequately informed about the range of pesticide products available for use in each area;

5.1.6 ensure, with the cooperation of industry, that where pesticides are available through outlets which also deal in food, medicines, other products for internal consumption or topical application, or clothing, they are physically segregated from other merchandise, so as to avoid any possibility of contamination or of mistaken identity. Where appropriate, they should be clearly marked as hazardous materials. Every effort should be made to publicize the dangers of storing foodstuffs and pesticides together.

5.2 Even where a control scheme is in operation, industry should:

5.2.1 cooperate in the periodic reassessment of the pesticides which are marketed and in providing the poison control centres and other medical practitioners with information about hazards;

5.2.2 make every reasonable effort to reduce hazard by:

5.2.2.1 making less toxic formulations available;

5.2.2.2 introducing products in ready-to-use packages and otherwise developing safer and more efficient methods of application;

5.2.2.3 using containers that are not attractive for subsequent reuse and promoting programmes to discourage their reuse;

5.2.2.4 using containers that are safe (e.g. not attractive to or easily opened by children), particularly for the more toxic home-use products;

5.2.2.5 using clear and concise labelling;

5.2.3 halt sale, and recall products, when safe use does not seem possible under any use directions or restrictions.

5.3 Government and industry should further reduce hazards by making provision for safe storage and disposal of pesticides and containers at both warehouse and farm level, and through proper siting and control of wastes from formulating plants.

5.4 To avoid unjustified confusion and alarm among the public, public-sector groups should consider all available facts and try to distinguish between major differences in levels of risk among pesticides and uses.

5.5 In establishing production facilities in developing countries, manufacturers and governments should cooperate to:

5.5.1 adopt engineering standards and safe operating practices appropriate to the nature of the manufacturing operations and the hazards involved;

5.5.2 take all necessary precautions to protect the health and safety of operatives, bystanders and the environment;

5.5.3 maintain quality-assurance procedures to ensure that the products manufactured comply to the relevant standards of purity, performance, stability and safety.

Article 6. Regulatory and technical requirements

6.1 Governments should:

6.1.1 take action to introduce the necessary legislation for the regulation, including registration, of pesticides and make provisions for its effective enforcement, including the establishment of appro-

priate educational, advisory, extension and health-care services; the FAO guidelines for the registration and control of pesticides (9) should be followed, as far as possible, taking full account of local needs, social and economic conditions, levels of literacy, climatic conditions and availability of pesticide application equipment;

6.1.2 strive to establish pesticide registration schemes and infrastructures under which products can be registered prior to domestic use and, accordingly, ensure that each pesticide product is registered under the laws or regulations of the country of use before it can be made available there;

6.1.3 protect the proprietary rights to use of data;

6.1.4 collect and record data on the actual import, formulation and use of pesticides in each country in order to assess the extent of any possible effects on human health or the environment, and to follow trends in use levels for economic and other purposes.

6.2 The pesticides industry should:

6.2.1 provide an objective appraisal together with the necessary supporting data on each product;

6.2.2 ensure that the active ingredient and other ingredients of pesticide preparations marketed correspond in identity, quality, purity and composition to the substances tested, evaluated and cleared for toxicological and environmental acceptability;

6.2.3 ensure that active ingredients and formulated products for pesticides for which international specifications have been developed conform with the specifications of FAO (8), where intended for use in agriculture; and with WHO pesticide specifications (10), where intended for use in public health;

6.2.4 verify the quality and purity of the pesticides offered for sale;

6.2.5 when problems occur, voluntarily take corrective action, and when requested by governments, help find solutions to difficulties.

Article 7. Availability and use

- 7.1** Responsible authorities should give special attention to drafting rules and regulations on the availability of pesticides. These should be compatible with existing levels of training and expertise in handling pesticides on the part of the intended users. The parameters on which such decisions are based vary widely and must be left to the discretion of each government, bearing in mind the situation prevailing in the country.
- 7.2** In addition, governments should take note of and, where appropriate, follow the WHO classifications of pesticides by hazard (11) and associate the hazard class with well-recognized hazard symbols as the basis for their own regulatory measures. In any event, the type of formulation and method of application should be taken into account in determining the risk and degree of restriction appropriate to the product.
- 7.3** Two methods of restricting availability can be exercised by the responsible authority: not registering a product; or, as a condition of registration, restricting the availability to certain groups of users in accordance with national assessments of hazards involved in the use of the product in the particular country.
- 7.4** All pesticides made available to the general public should be packaged and labelled in a manner which is consistent with the FAO guidelines on packaging (12) and labelling (13) and with appropriate national regulations.
- 7.5** Prohibition of the importation, sale and purchase of an extremely toxic product may be desirable if control measures or good marketing practices are insufficient to ensure that the product can be used safely. However, this is a matter for decision in the light of national circumstances.

Article 8. Distribution and trade

8.1 Industry should:

8.1.1 test all pesticide products to evaluate safety with regard to

human health and the environment prior to marketing, as provided for in Article 4, and ensure that all pesticide products are likewise adequately tested for efficacy and stability and crop tolerance, under procedures that will predict performance under the conditions prevailing in the region where the product is to be used, before they are offered there for sale;

8.1.2 submit the results of all such tests to the local responsible authority for independent evaluation and approval before the products enter trade channels in that country;

8.1.3 take all necessary steps to ensure that pesticides entering international trade conform to relevant FAO, (8), WHO (10) or equivalent specifications for composition and quality (where such specifications have been developed) and to the principles embodied in pertinent FAO guidelines, and in rules and regulations on classification and packaging, marketing, labelling and documentation laid down by international organizations concerned with modes of transport (ICAO, IMO, RID and IATA in particular);¹

8.1.4 undertake to see that pesticides which are manufactured for export are subject to the same quality requirements and standards as those applied by the manufacturer to comparable domestic products;

8.1.5 ensure that pesticides manufactured or formulated by a subsidiary company meet appropriate quality requirements and standards which should be consistent with the requirements of the host country and of the parent company;

8.1.6 encourage importing agencies, national or regional formulators, and their respective trade organizations to cooperate in order to achieve fair practices and safe marketing and distribution

¹ ICAO: International Civil Aviation Organization

IMO: International Maritime Organization

RID: International regulations concerning the carriage of dangerous goods
by rail

IATA: International Air Transport Association.

practices and to collaborate with authorities in stamping out any malpractices within the industry;

8.1.7 recognize that the recall of a pesticide by a manufacturer and distributor may be desirable when faced with a pesticide which represents an unacceptable hazard to human and animal health and the environment when used as recommended, and cooperate accordingly;

8.1.8 endeavour to ensure that pesticides are traded by and purchased from reputable traders, who should preferably be members of a recognized trade organization;

8.1.9 see that persons involved in the sale of any pesticide are trained adequately to ensure that they are capable of providing the buyer with advice on safe and efficient use;

8.1.10 provide a range of pack sizes and types which are appropriate for the needs of small-scale farmers and other local users to avoid handling hazards and the risk that resellers will repackage products into unlabelled or inappropriate containers.

8.2 Governments and responsible authorities should take the necessary regulatory measures to prohibit the repackaging, decanting or dispensing of any pesticide in food or beverage containers and should rigidly enforce punitive measures that effectively deter such practices.

8.3 Governments of countries importing food and agricultural commodities should recognize good agricultural practices in countries with which they trade and, in accordance with recommendations of the Codex Alimentarius Commission, should establish a legal basis for the acceptance of pesticide residues resulting from such good agricultural practices (7, 14).

Article 9. Information exchange

9.1 The government of a pesticide-exporting country which takes action to ban or severely restrict the use or handling of a pesticide in order to protect health or the environment domestically should

notify, directly or indirectly, the designated national authorities in other countries of the action it has taken (15).

9.2 The purpose of the notification regarding control action is to give competent authorities in other countries the opportunity to assess the risks associated with the pesticide, and to make timely and informed decisions as to the importation and use of the pesticides concerned, after taking into account local, public-health, economic, environmental and administrative conditions. The minimum information to be provided for this purpose should be:

9.2.1 the identity (common name, distinguishing name and chemical name);

9.2.2 a summary of the control action taken and of the reasons for it — if the control action bans or restricts certain uses but allows other uses, such information should be included;

9.2.3 the fact that additional information is available, and the name and address of the contact point in the country of export to which a request for further information should be addressed.

9.3 If export of a banned or severely restricted pesticide occurs, the country of export should ensure that necessary steps are taken to provide the designated national authority of the country of import with relevant information.

9.4 The purpose of information regarding exports is to remind the country of import of the original notification regarding control action and to alert it to the fact that an export is expected or is about to occur. The minimum information to be provided for this purpose should be:

9.4.1 a copy of, or reference to, the information provided at the time of the notification of control action;

9.4.2 indication that an export of the chemical concerned is expected or is about to occur.

9.5 Notification of control action should be provided as soon as practicable after the control action is taken. For pesticides banned

or severely restricted before the implementation of the Code, an inventory of prior control action should be provided to the International Register of Potentially Toxic Chemicals (IRPTC), unless such information has already been provided.

9.6 Provision of information regarding exports should take place at the time of the first export following the control action, and should recur in the case of any significant development of new information or condition surrounding the control action. It is the intention that the information should be provided prior to export.

9.7 The provision of such information by the exporting country must take into account protection of the confidentiality of data in the importing country.

9.8 Governments of importing countries should:

9.8.1 establish internal procedures for the receipt and handling of such information from the exporting country;

9.8.2 ensure that such information received is not used in any manner which would be inconsistent with the provisions of the General Agreement on Tariffs and Trade (GATT).

Article 10. Labelling, packaging, storage and disposal

10.1 All pesticide containers should be clearly labelled in accordance with applicable international guidelines, such as the FAO guidelines on good labelling practice (13).

10.2 Industry should use labels that:

10.2.1 include recommendations consistent with those of the recognized research and advisory agencies in the country of sale;

10.2.2 include appropriate symbols and pictograms whenever possible, in addition to written instructions, warnings and precautions;

10.2.3 in international trade, clearly show appropriate WHO hazard classification of the contents (11) or, if this is inappropriate

or inconsistent with national regulations, use the relevant classification;

10.2.4 include, in the appropriate language or languages, a warning against the reuse of containers, and instructions for the safe disposal or decontamination of empty containers;

10.2.5 identify each lot or batch of the product in numbers or letters that can be read, transcribed and communicated by anyone without the need for codes or other means of deciphering;

10.2.6 are marked with the date (month and year) of formulation of the lot or batch and with relevant information on the storage stability of the product.

10.3 Industry should ensure that:

10.3.1 packaging, storage and disposal of pesticides conform in principle to the FAO guidelines for packaging and storage (12), the FAO guidelines for the disposal of waste pesticides and containers (16), and WHO specifications for pesticides used in public health (10);

10.3.2 in cooperation with governments, packaging or repackaging is carried out only on licensed premises where the responsible authority is convinced that staff are adequately protected against toxic hazards, that the resulting product will be properly packaged and labelled, and that the content will conform to the relevant quality standards.

10.4 Governments should take the necessary regulatory measures to prohibit the repacking, decanting or dispensing of any pesticide into food or beverage containers in trade channels and rigidly enforce punitive measures that effectively deter such practices.

Article 11. Advertising

11.1 Industry should ensure that:

- 11.1.1 all statements used in advertising are capable of technical substantiation;
- 11.1.2 advertisements do not contain any statement or visual presentation which, directly or by implication, omission, ambiguity or exaggerated claim, is likely to mislead the buyer, in particular with regard to the safety of the product, its nature, composition, or suitability for use, or official recognition or approval;
- 11.1.3 pesticides which are legally restricted to use by trained or registered operators are not publicly advertised through journals other than those catering for such operations, unless the restricted availability is clearly and prominently shown;
- 11.1.4 no firm or individual in any one country simultaneously markets different pesticide active ingredients or combinations of ingredients under a single distinguishing name;
- 11.1.5 advertising does not encourage uses other than those specified on the approval label;
- 11.1.6 promotional material does not include use recommendations at variance with those of the recognized research and advisory agencies;
- 11.1.7 advertisements do not misuse research results or quotations from technical and scientific literature; and scientific jargon and irrelevances are not used to make claims appear to have a scientific basis they do not possess;
- 11.1.8 claims as to safety, including statements such as "safe", "non-poisonous", "harmless", "non-toxic", are not made, with or without a qualifying phrase such as "when used as directed";
- 11.1.9 statements comparing the safety of different products are not made;
- 11.1.10 misleading statements are not made concerning the effectiveness of the product;
- 11.1.11 no guarantees or implied guarantees — e.g. "more profits

with...”, “guarantees high yields” — are given unless definite evidence to substantiate such claims is available;

11.1.12 advertisements do not contain any visual representation of potentially dangerous practices, such as mixing or application without sufficient protective clothing, use near food, or use by or near children;

11.1.13 advertising or promotional material draws attention to the appropriate warning phrases and symbols as laid down in the labelling guidelines (13);

11.1.14 technical literature provides adequate information on correct practices, including the observance of recommended rates, frequency of applications, and safe pre-harvest intervals;

11.1.15 false or misleading comparisons with other pesticides are not made;

11.1.16 all staff involved in sales promotion are adequately trained and possess sufficient technical knowledge to present complete, accurate and valid information on the products sold;

11.1.17 advertisements encourage purchasers and users to read the label carefully, or have the label read to them if they cannot read.

11.2 International organizations and public-sector groups should call attention to departures from this Article.

11.3 Governments are encouraged to work with manufacturers to take advantage of their marketing skills and infrastructure, in order to provide public-service advertising regarding the safe and effective use of pesticides. This advertising could focus on such factors as proper maintenance and use of equipment, special precautions for children and pregnant women, the danger of reusing containers, and the importance of following label directions.

Article 12. Monitoring the observance of the Code

12.1 The Code should be published and should be observed

through collaborative action on the part of governments, individually or in regional groupings, appropriate organizations and bodies of the United Nations system, international governmental organizations and the pesticide industry.

12.2 The Code should be brought to the attention of all concerned in the manufacture, marketing and use of pesticides and in the control of such activities, so that governments, individually or in regional groupings, industry and international institutions understand their shared responsibilities in working together to ensure that the objectives of the Code are achieved.

12.3 All parties addressed by this Code should observe this Code and should promote the principles and ethics expressed by the Code, irrespective of other parties' ability to observe the Code. The pesticide industry should cooperate fully in the observance of the Code and promote the principles and ethics expressed by the Code, irrespective of a government's ability to observe the Code.

12.4 Independently of any measures taken with respect to the observance of this Code, all relevant legal rules, whether legislative, administrative, judicial or customary, dealing with liability, consumer protection, conservation, pollution control and other related subjects should be strictly applied.

12.5 FAO and other competent international organizations should give full support to the observance of the Code, as adopted.

12.6 Governments should monitor the observance of the Code and report on progress made to the Director-General of FAO.

12.7 Governing Bodies should periodically review the relevance and effectiveness of the Code. The Code should be considered a dynamic text which must be brought up to date as required, taking into account technical, economic and social progress.

Annex

*FAO Conference Resolution 10/85:
International Code of Conduct
on the Distribution and Use of Pesticides*

THE CONFERENCE,

Recognizing that increased food production is a high priority need in many parts of the world and that this need cannot be met without the use of indispensable agricultural inputs such as pesticides,

Noting that FAO's study entitled *Agriculture: toward 2000* foresees a steady increase in the worldwide use of pesticides,

Convinced that such growth in pesticide use is likely to take place in spite of necessary intensive parallel efforts to introduce biological and integrated pest control systems,

Acknowledging that pesticides can be hazardous to humans and the environment and that immediate action must be taken by all concerned, including governments, manufacturers, traders and users, to eliminate, as far as possible and within the scope of their responsibility, unreasonable risks, not only in the country of origin but also in the countries to which pesticides may be exported,

Being aware that the requirements for the safe and proper use of pesticides in some developed countries have led to the adoption of complex systems of regulations and of enforcement mechanisms, but that many other countries have neither such mechanisms nor the necessary legislation, regulations or infrastructures to control the import, availability, sale or use of pesticides,

Convinced that additional efforts are needed to enable such countries to control pesticides more effectively and to assess the hazards which could result from their use or misuse,

Recognizing that a voluntary International Code of Conduct, based on internationally agreed technical guidelines, would provide a practical framework for the control of pesticides, especially in countries that do not have adequate pesticide registration and control schemes,

Noting that such a draft Code was reviewed by the Committee on Agriculture at its Eighth Session, and endorsed by the Council at its Eighty-eighth Session,

Having further noted the conclusions and recommendations of these bodies,

1. *Hereby adopts* a voluntary International Code of Conduct on the Distribution and Use of Pesticides as given in the annex to this Resolution;
2. *Recommends* that all FAO Member Nations promote the use of this Code in the interests of safer and more efficient use of pesticides and of increased food production;
3. *Requests* governments to monitor the observance of the Code, in collaboration with the Director-General who will report periodically to the Committee on Agriculture;
4. *Invites* other United Nations agencies and other international organizations to collaborate in this endeavour within their respective spheres of competence.

(Adopted 28 November 1985)

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